

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

13980.0001

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/U09631

INTERNATIONAL APPLICATION NO.

PCT/AU00/00665

INTERNATIONAL FILING DATE

15 June 2000

PRIORITY DATE CLAIMED

17 June 1999

TITLE OF INVENTION

AN ASSIST DEVICE FOR THE FAILING HEART

APPLICANT(S) FOR DO/EO/US

HUNYOR, Stephen N.; PLEKhanov, Serguei M.; HUANG, Yifei

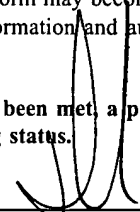
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

See attachment

U.S. APPLICATION NO. 10/009631 INTERNATIONAL APPLICATION NO. PCT/AU00/00665		ATTORNEY'S DOCKET NUMBER 13980.0001	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 1040	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	33 - 20 =	13	x \$18.00
Independent claims	1 - 3 =	0	x \$84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00
TOTAL OF ABOVE CALCULATIONS		= \$ 1274	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$- 637	
SUBTOTAL		= \$ 637	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE		= \$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 40	
TOTAL FEES ENCLOSED		= \$ 677	
		Amount to be refunded:	\$
		charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>677</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-4293</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
STEPTOE & JOHNSON LLP 1330 Connecticut Ave., N.W. Washington, D.C. 20036 Telephone: 202-429-3000 Telefax: 202-429-3902		SIGNATURE  D. Douglas Price NAME 24,514 REGISTRATION NUMBER	

Form PCT/IB/332: Information Concerning Elected Offices Notified Of Election

[illegible]

JC13 Rec'd PCT/PTC 2 DEC 2001

PATENT COOPERATION TREATY

Applicant : Northern Sydney Area Health Service
Application No. : PCT/AU00/00665
Filed : 15 June, 2000
Priority Date : 17 June, 1999

**REQUEST TO AMEND NAME OF APPLICATION
UNDER RULE 92^{BIS}**

Request is hereby made under Rule 92^{BIS} to change the person who is the applicant with regard to this application. This application was originally filed in the name of Northern Sydney Area Health Service

The new applicant is :

Heart Assist Technologies Pty Ltd

of Block 4, Level 3, Royal North Shore Hospital, St Leonards, New South
Wales, 2065, Australia

Because this request is made by the applicant, no assignment documents are enclosed with this request.

Please record this change and notify all Offices and PCT authorities interested in the change accordingly. It is the understanding of the applicant that there is no fee for this request.



A member of the firm of DAVIES COLLISON CAVE
for an on behalf of the applicant

31 August, 2001